

§§ 63.657–63.679

40 CFR Ch. I (7–1–10 Edition)

the delegation provisions of the referenced subpart.

(2) Approval of major alternatives to test methods under § 63.7(e)(2)(ii) and (f), as defined in § 63.90, and as required in this subpart.

(3) Approval of major alternatives to monitoring under § 63.8(f), as defined in § 63.90, and as required in this subpart.

(4) Approval of major alternatives to recordkeeping and reporting under § 63.10(f), as defined in § 63.90, and as required in this subpart.

[68 FR 37351, June 23, 2003. Redesignated and amended at 74 FR 55686, 55688, Oct. 28, 2009]

§§ 63.657–63.679 [Reserved]

**APPENDIX TO SUBPART CC OF PART 63—
TABLES**

TABLE 1—HAZARDOUS AIR POLLUTANTS

Chemical name	CAS No. ^a
Benzene	71432
Biphenyl	92524
Butadiene (1,3)	106990
Carbon disulfide	75150
Carbonyl sulfide	463581
Cresol (mixed isomers ^b)	1319773
Cresol (m-)	108394
Cresol (o-)	95487
Cresol (p-)	106445
Cumene	98828
Dibromoethane (1,2) (ethylene dibromide)	106934
Dichloroethane (1,2)	107062

**TABLE 3—EQUIPMENT LEAK RECORDKEEPING AND REPORTING REQUIREMENTS FOR SOURCES
COMPLYING WITH § 63.648 OF SUBPART CC BY COMPLIANCE WITH SUBPART H OF THIS PART ^A**

Reference (section of subpart H of this part)	Description	Comment
63.181(a)	Recordkeeping system requirements	Except for §§ 63.181(b)(2)(iii) and 63.181(b)(9).
63.181(b)	Records required for process unit equipment.	Except for §§ 63.181(b)(2)(iii) and 63.181(b)(9).
63.181(c)	Visual inspection documentation	Except for §§ 63.181(b)(2)(iii) and 63.181(b)(9).
63.181(d)	Leak detection record requirements	Except for § 63.181(d)(8).
63.181(e)	Compliance requirements for pressure tests for batch product process equipment trains.	This subsection does not apply to subpart CC.
63.181(f)	Compressor compliance test records.	
63.181(g)	Closed-vent systems and control device record requirements.	
63.181(h)	Process unit quality improvement program records.	
63.181(i)	Heavy liquid service determination record.	
63.181(j)	Equipment identification record.	
63.181(k)	Enclosed-vented process unit emission limitation record requirements.	
63.182(a)	Reports.	
63.182(b)	Initial notification report requirements.	Not required.

**TABLE 1—HAZARDOUS AIR POLLUTANTS—
Continued**

Chemical name	CAS No. ^a
Diethanolamine	111422
Ethylbenzene	100414
Ethylene glycol	107211
Hexane	110543
Methanol	67561
Methyl isobutyl ketone (hexone)	108101
Methyl tert butyl ether	1634044
Naphthalene	91203
Phenol	108952
Toluene	108883
Trimethylpentane (2,2,4)	540841
Xylene (mixed isomers ^b)	1330207
xylene (m-)	108383
xylene (o-)	95476
xylene (p-)	106423

^a CAS number = Chemical Abstract Service registry number assigned to specific compounds, isomers, or mixtures of compounds.

^b Isomer means all structural arrangements for the same number of atoms of each element and does not mean salts, esters, or derivatives.

**TABLE 2—LEAK DEFINITIONS FOR PUMPS AND
VALVES**

Standard ^a	Phase	Leak definition (parts per million)
§ 63.163 (pumps)	I	10,000
	II	5,000
	III	2,000
§ 63.168 (valves)	I	10,000
	II	1,000
	III	1,000

^a Subpart H of this part.

Environmental Protection Agency

Pt. 63, Subpt. CC, App.

TABLE 3—EQUIPMENT LEAK RECORDKEEPING AND REPORTING REQUIREMENTS FOR SOURCES COMPLYING WITH § 63.648 OF SUBPART CC BY COMPLIANCE WITH SUBPART H OF THIS PART ^A—Continued

Reference (section of subpart H of this part)	Description	Comment
63.182(c)	Notification of compliance status report ..	Except in § 63.182(c); change “within 90 days of the compliance dates” to “within 150 days of the compliance dates”; except in §§ 63.182 (c)(2) and (c)(4).
63.182(d)	Periodic report	Except for §§ 63.182 (d)(2)(vii), (d)(2)(viii), and (d)(3).

^aThis table does not include all the requirements delineated under the referenced sections. See referenced sections for specific requirements.

TABLE 4—GASOLINE DISTRIBUTION EMISSION POINT RECORDKEEPING AND REPORTING REQUIREMENTS ^A

Reference (section of subpart Y)	Description	Comment
63.428(b) or (k)	Records of test results for each gasoline cargo tank loaded at the facility.	Required to be submitted with the Periodic Report required under 40 CFR part 63, subpart CC.
63.428(c)	Continuous monitoring data recordkeeping requirements.	
63.428(g)(1)	Semiannual report loading rack information	
63.428(h)(1) through (h)(3).	Excess emissions report loading rack information	Required to be submitted with the Periodic Report required under 40 CFR part 63, subpart CC.

^aThis table does not include all the requirements delineated under the referenced sections. See referenced sections for specific requirements.

TABLE 5—MARINE VESSEL LOADING OPERATIONS RECORDKEEPING AND REPORTING REQUIREMENTS ^A

Reference (section of subpart Y)	Description	Comment
63.562(e)(2)	Operation and maintenance plan for control equipment and monitoring equipment.	The information required under this paragraph is to be submitted with the Notification of Compliance Status report required under 40 CFR part 63, subpart CC.
63.565(a)	Performance test/site test plan	
63.565(b)	Performance test data requirements.	
63.567(a)	General Provisions (subpart A) applicability.	The information required under this paragraph is to be submitted with the Periodic Report required under 40 CFR part 63, subpart CC.
63.567(c)	Request for extension of compliance.	
63.567(d)	Flare recordkeeping requirements.	
63.567(e)	Summary report and excess emissions and monitoring system performance report requirements.	
63.567(f)	Vapor collection system engineering report.	
63.567(g)	Vent system valve bypass recordkeeping requirements.	
63.567(h)	Marine vessel vapor-tightness documentation.	
63.567(i)	Documentation file maintenance.	
63.567(j)	Emission estimation reporting and recordkeeping procedures.	

^aThis table does not include all the requirements delineated under the referenced sections. See referenced sections for specific requirements.

TABLE 6—GENERAL PROVISIONS APPLICABILITY TO SUBPART CC ^A

Reference	Applies to subpart CC	Comment
63.1(a)(1)	Yes.	Reserved.
63.1(a)(2)	Yes.	
63.1(a)(3)	Yes.	
63.1(a)(4)	Yes.	
63.1(a)(5)	No	

TABLE 6—GENERAL PROVISIONS APPLICABILITY TO SUBPART CC^A—Continued

Reference	Applies to subpart CC	Comment
63.1(a)(6)	Yes	Except the correct mail drop (MD) number is C404–04.
63.1(a)(7)–63.1(a)(9)	No	Reserved.
63.1(a)(10)	Yes.	
63.1(a)(11)	Yes.	
63.1(a)(12)	Yes.	
63.1(b)(1)	Yes.	
63.1(b)(2)	No	Reserved.
63.1(b)(3)	No.	
63.1(c)(1)	Yes.	
63.1(c)(2)	No	Area sources are not subject to subpart CC.
63.1(c)(3)–63.1(c)(4)	No	Reserved.
63.1(c)(5)	Yes	Except that sources are not required to submit notifications overridden by this table.
63.1(d)	No	Reserved.
63.1(e)	No	No CAA section 112(j) standard applies to the affected sources under subpart CC.
63.2	Yes	§ 63.641 of subpart CC specifies that if the same term is defined in subparts A and CC, it shall have the meaning given in subpart CC.
63.3	Yes.	
63.4(a)(1)–63.4(a)(2)	Yes.	
63.4(a)(3)–63.4(a)(5)	No	Reserved.
63.4(b)	Yes.	
63.4(c)	Yes.	
63.5(a)	Yes.	
63.5(b)(1)	Yes.	
63.5(b)(2)	No	Reserved.
63.5(b)(3)	Yes.	
63.5(b)(4)	Yes	Except the cross-reference to § 63.9(b) is changed to § 63.9(b)(4) and (5). Subpart CC overrides § 63.9 (b)(2).
63.5(b)(5)	No	Reserved.
63.5(b)(6)	Yes.	
63.5(c)	No	Reserved.
63.5(d)(1)(i)	Yes	Except that the application shall be submitted as soon as practicable before startup, but no later than 90 days after the promulgation date of subpart CC if the construction or reconstruction had commenced and initial startup had not occurred before the promulgation of subpart CC.
63.5(d)(1)(ii)	Yes	Except that for affected sources subject to subpart CC, emission estimates specified in § 63.5(d)(1)(ii)(H) are not required.
63.5(d)(1)(iii)	No	Subpart CC § 63.655(f) specifies Notification of Compliance Status report requirements.
63.5(d)(2)	Yes.	
63.5(d)(3)	Yes.	
63.5(d)(4)	Yes.	
63.5(e)	Yes.	
63.5(f)	Yes.	
63.6(a)	Yes.	
63.6(b)(1)–63.6(b)(5)	No	Subpart CC specifies compliance dates and notifications for sources subject to subpart CC.
63.6(b)(6)	No	Reserved.
63.6(b)(7)	Yes.	
63.6(c)(1)–63.6(c)(2)	No	§ 63.640 of subpart CC specifies the compliance date.
63.6(c)(3)–63.6(c)(4)	No	Reserved.
63.6(c)(5)	Yes.	
63.6(d)	No	Reserved.
63.6(e)(1)	Yes	Except the startup, shutdown, or malfunction plan does not apply to Group 2 emission points that are not part of an emissions averaging group. ^b
63.6(e)(2)	No	Reserved.
63.6(e)(3)(i)	Yes	Except the startup, shutdown, or malfunction plan does not apply to Group 2 emission points that are not part of an emissions averaging group. ^b
63.6(e)(3)(ii)	No	Reserved.

Environmental Protection Agency

Pt. 63, Subpt. CC, App.

TABLE 6—GENERAL PROVISIONS APPLICABILITY TO SUBPART CC^A—Continued

Reference	Applies to subpart CC	Comment
63.6(e)(3)(iii)–63.6(e)(3)(ix)	Yes	Except the reports specified in § 63.6(e)(3)(iv) do not need to be reported within 2 and 7 days of commencing and completing the action, respectively, but must be included in the next periodic report.
63.6 (f)(1)	Yes	Except for the heat exchange system standards, which apply at all times.
63.6(f)(2) and (3)	Yes	Except the phrase “as specified in § 63.7(c)” in § 63.6(f)(2)(iii)(D) does not apply because subpart CC does not require a site-specific test plan.
63.6(g)	Yes.	
63.6(h)(1) and 63.6(h)(2)	Yes	Except § 63.6(h)(2)(ii), which is reserved.
63.6(h)(3)	No	Reserved.
63.6(h)(4)	No	Notification of visible emission test not required in subpart CC.
63.6(h)(5)	No	Visible emission requirements and timing is specified in § 63.645(i) of subpart CC.
63.6(h)(6)	Yes.	
63.6(h)(7)	No	Subpart CC does not require opacity standards.
63.6(h)(8)	Yes.	
63.6(h)(9)	No	Subpart CC does not require opacity standards.
63.6(i)	Yes	Except for § 63.6(i)(15), which is reserved.
63.6(j)	Yes.	
63.7(a)(1)	Yes.	
63.7(a)(2)	Yes	Except test results must be submitted in the Notification of Compliance Status report due 150 days after compliance date, as specified in § 63.655(f) of subpart CC.
63.7(a)(3)	Yes.	
63.7(a)(4)	Yes.	
63.7(b)	No	Subpart CC requires notification of performance test at least 30 days (rather than 60 days) prior to the performance test.
63.7(c)	No	Subpart CC does not require a site-specific test plan.
63.7(d)	Yes.	
63.7(e)(1)	Yes	Except the performance test must be conducted at the maximum representative capacity as specified in § 63.642(d)(3) of subpart CC.
63.7(e)(2)–63.7(e)(4)	Yes.	
63.7(f)	No	Subpart CC specifies applicable methods and provides alternatives without additional notification or approval.
63.7(g)	No	Performance test reporting specified in § 63.655(f).
63.7(h)(1)	Yes.	
63.7(h)(2)	Yes.	
63.7(h)(3)	Yes	Yes, except site-specific test plans shall not be required, and where § 63.7(g)(3) specifies submittal by the date the site-specific test plan is due, the date shall be 90 days prior to the Notification of Compliance Status report in § 63.655(f).
63.7(h)(4)(i)	Yes.	
63.7(h)(4)(ii)	No	Site-specific test plans are not required in subpart CC.
63.7(h)(4)(iii) and (iv)	Yes.	
63.7(h)(5)	Yes.	
63.8(a)	Yes	Except § 63.8(a)(3), which is reserved.
63.8(b)	Yes.	
63.8(c)(1)	Yes.	
63.8(c)(2)	Yes.	
63.8(c)(3)	Yes	Except that verification of operational status shall, at a minimum, include completion of the manufacturer’s written specifications or recommendations for installation, operation, and calibration of the system or other written procedures that provide adequate assurance that the equipment would monitor accurately.
63.8(c)(4)	Yes	Except Subpart CC specifies the monitoring cycle frequency specified in § 63.8(c)(4)(ii) is “once every hour rather” than “for each successive 15-minute period.”
63.8(c)(5)–63.8(c)(8)	No.	

TABLE 6—GENERAL PROVISIONS APPLICABILITY TO SUBPART CC^A—Continued

Reference	Applies to subpart CC	Comment
63.8(d)	No.	Subpart CC does not require performance evaluations; however, this shall not abrogate the Administrator's authority to require performance evaluation under section 114 of the Clean Air Act.
63.8(e)	No	
63.8(f)(1)	Yes.	Timeframe for submitting request is specified in § 63.655(h)(5)(i) of subpart CC.
63.8(f)(2)	Yes.	
63.8(f)(3)	Yes.	
63.8(f)(4)(i)	No	
63.8(f)(4)(ii)	Yes.	Timeframe for submitting request is specified in § 63.655(h)(5)(i) of subpart CC.
63.8(f)(4)(iii)	No	
63.8(f)(5)	Yes.	Subpart CC does not require continuous emission monitors.
63.8(f)(6)	No	
63.8(g)	No	Subpart CC specifies data reduction procedures in § 63.655(i)(3).
63.9(a)	Yes	Except that the owner or operator does not need to send a copy of each notification submitted to the Regional Office of the EPA as stated in § 63.9(a)(4)(ii).
63.9(b)(1)	Yes	Except the notification of compliance status report specified in § 63.655(f) of subpart CC may also serve as the initial compliance notification required in § 63.9(b)(1)(iii).
63.9(b)(2)	No	A separate Initial Notification report is not required under subpart CC.
63.9(b)(3)	No	Reserved.
63.9(b)(4)	Yes	Except for subparagraphs § 63.9(b)(4)(ii) through (iv), which are reserved.
63.9(b)(5)	Yes.	Subpart CC requires notification of performance test at least 30 days (rather than 60 days) prior to the performance test and does not require a site-specific test plan.
63.9(c)	Yes.	
63.9(d)	Yes.	
63.9(e)	No	
63.9(f)	No	
63.9(g)	No.	Subpart CC does not require advanced notification of visible emissions test.
63.9(h)	No	
63.9(i)	Yes.	Subpart CC § 63.655(f) specifies Notification of Compliance Status report requirements.
63.9(j)	No.	
63.10(a)	Yes.	§ 63.644(d) of subpart CC specifies record retention requirements.
63.10(b)(1)	No	
63.10(b)(2)(i)	Yes.	§ 63.655(f) of subpart CC specifies performance test reporting.
63.10(b)(2)(ii)	Yes.	
63.10(b)(2)(iii)	No.	
63.10(b)(2)(iv)	Yes.	
63.10(b)(2)(v)	Yes.	
63.10(b)(2)(vi)	Yes.	
63.10(b)(2)(vii)	No.	
63.10(b)(2)(viii)	Yes.	
63.10(b)(2)(ix)	Yes.	
63.10(b)(2)(x)	Yes.	
63.10(b)(2)(xi)	No.	
63.10(b)(2)(xii)	Yes.	
63.10(b)(2)(xiii)	No.	
63.10(b)(2)(xiv)	Yes.	
63.10(b)(3)	No.	
63.10(c)(1)–63.10(c)(6)	No.	
63.10(c)(7) and 63.10(c)(8)	Yes.	
63.10(c)(9)–63.10(c)(15)	No.	
63.10(d)(1)	Yes.	
63.10(d)(2)	No	

TABLE 6—GENERAL PROVISIONS APPLICABILITY TO SUBPART CC^A—Continued

Reference	Applies to subpart CC	Comment
63.10(d)(3)	No	Results of visible emissions test are included in Compliance Status Report as specified in § 63.655(f).
63.10(d)(4)	Yes.	Except that reports required by § 63.10(d)(5)(i) may be submitted at the same time as periodic reports specified in § 63.655(g) of subpart CC.
63.10(d)(5)(i)	Yes ^b	
63.10(d)(5)(ii)	Yes	Except that actions taken during a startup, shutdown, or malfunction that are not consistent with the startup, shutdown, and malfunction plan and that cause the source to exceed any applicable emission limitation do not need to be reported within 2 and 7 days of commencing and completing the action, respectively, but must be included in the next periodic report.
63.10(e)	No.	
63.10(f)	Yes.	
63.11–63.16	Yes.	

^a Wherever subpart A specifies “postmark” dates, submittals may be sent by methods other than the U.S. Mail (e.g., by fax or courier). Submittals shall be sent by the specified dates, but a postmark is not required.

^b The plan, and any records or reports of startup, shutdown, and malfunction do not apply to Group 2 emission points that are not part of an emissions averaging group.

TABLE 7—FRACTION MEASURED (F_M), FRACTION EMITTED (F_E), AND FRACTION REMOVED (FR) FOR HAP COMPOUNDS IN WASTEWATER STREAMS

Chemical name	CAS No. ^a	F_M	F_E	Fr
Benzene	71432	1.00	0.80	0.99
Biphenyl	92524	0.86	0.45	0.99
Butadiene (1,3)	106990	1.00	0.98	0.99
Carbon disulfide	75150	1.00	0.92	0.99
Cumene	98828	1.00	0.88	0.99
Dichloroethane (1,2-) (Ethylene dichloride)	107062	1.00	0.64	0.99
Ethylbenzene	100414	1.00	0.83	0.99
Hexane	110543	1.00	1.00	0.99
Methanol	67561	0.85	0.17	0.31
Methyl isobutyl ketone (hexone)	108101	0.98	0.53	0.99
Methyl tert butyl ether	1634044	1.00	0.57	0.99
Naphthalene	91203	0.99	0.51	0.99
Trimethylpentane (2,2,4)	540841	1.00	1.00	0.99
xylene (m-)	108383	1.00	0.82	0.99
xylene (o-)	95476	1.00	0.79	0.99
xylene (p-)	106423	1.00	0.82	0.99

^a CAS numbers refer to the Chemical Abstracts Service registry number assigned to specific compounds, isomers, or mixtures of compounds.

TABLE 8—VALVE MONITORING FREQUENCY FOR PHASE III

Performance level	Valve monitoring frequency
Leaking valves ^a (%)	
≥4	Monthly or QIP. ^b
<4	Quarterly.
<3	Semiannual.
<2	Annual.

^a Percent leaking valves is calculated as a rolling average of two consecutive monitoring periods.

^b QIP=Quality improvement program. Specified in § 63.175 of subpart H of this part.

TABLE 9—VALVE MONITORING FREQUENCY FOR ALTERNATIVE

Performance level	Valve monitoring frequency under § 63.649 alternative
Leaking valves ^a (%)	
≥5	Monthly or QIP. ^b
<5	Quarterly.
<4	Semiannual.

TABLE 9—VALVE MONITORING FREQUENCY FOR ALTERNATIVE—Continued

Performance level	Valve monitoring frequency under § 63.649 alternative
Leaking valves ^a (%)	
<3	Annual.

^a Percent leaking valves is calculated as a rolling average of two consecutive monitoring periods.

^b QIP=Quality improvement program. Specified in § 63.175 of subpart H of this part.

TABLE 10—MISCELLANEOUS PROCESS VENTS—MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS FOR COMPLYING WITH 98 WEIGHT-PERCENT REDUCTION OF TOTAL ORGANIC HAP EMISSIONS OR A LIMIT OF 20 PARTS PER MILLION BY VOLUME

Control device	Parameters to be monitored ^a	Recordkeeping and reporting requirements for monitored parameters
Thermal incinerator	Firebox temperature ^b (63.644(a)(1)(i)).	1. Continuous records ^c . 2. Record and report the firebox temperature averaged over the full period of the performance test—NCS ^d . 3. Record the daily average firebox temperature for each operating day ^e . 4. Report all daily average temperatures that are outside the range established in the NCS or operating permit and all operating days when insufficient monitoring data are collected ^f —PR ^g .
Catalytic incinerator	Temperature upstream and downstream of the catalyst bed (63.644(a)(1)(ii)).	1. Continuous records ^c . 2. Record and report the upstream and downstream temperatures and the temperature difference across the catalyst bed averaged over the full period of the performance test—NCS ^d . 3. Record the daily average upstream temperature and temperature difference across the catalyst bed for each operating day ^e . 4. Report all daily average upstream temperatures that are outside the range established in the NCS or operating permit—PR ^g . 5. Report all daily average temperature differences across the catalyst bed that are outside the range established in the NCS or operating permit—PR ^g . 6. Report all operating days when insufficient monitoring data are collected ^f .
Boiler or process heater with a design heat capacity less than 44 megawatts where the vent stream is <i>not</i> introduced into the flame zone ^{h,i} .	Firebox temperature ^b (63.644(a)(4)).	1. Continuous records ^c . 2. Record and report the firebox temperature averaged over the full period of the performance test—NCS ^d . 3. Record the daily average firebox temperature for each operating day ^e . 4. Report all daily average firebox temperatures that are outside the range established in the NCS or operating permit and all operating days when insufficient monitoring data are collected ^f —PR ^g .
Flare	Presence of a flame at the pilot light (63.644(a)(2)).	1. Hourly records of whether the monitor was continuously operating and whether a pilot flame was continuously present during each hour. 2. Record and report the presence of a flame at the pilot light over the full period of the compliance determination—NCS ^d . 3. Record the times and durations of all periods when all pilot flames for a flare are absent or the monitor is not operating. 4. Report the times and durations of all periods when all pilot flames for a flare are absent or the monitor is not operating.
All control devices	Presence of flow diverted to the atmosphere from the control device (63.644(c)(1)) <i>or</i> .	1. Hourly records of whether the flow indicator was operating and whether flow was detected at any time during each hour.

TABLE 10—MISCELLANEOUS PROCESS VENTS—MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS FOR COMPLYING WITH 98 WEIGHT-PERCENT REDUCTION OF TOTAL ORGANIC HAP EMISSIONS OR A LIMIT OF 20 PARTS PER MILLION BY VOLUME—Continued

Control device	Parameters to be monitored ^a	Recordkeeping and reporting requirements for monitored parameters
	Monthly inspections of sealed valves [63.644(c)(2)].	<p>2. Record and report the times and durations of all periods when the vent stream is diverted through a bypass line or the monitor is not operating—PR ^g.</p> <p>1. Records that monthly inspections were performed.</p> <p>2. Record and report all monthly inspections that show the valves are not closed or the seal has been changed—PR ^g.</p>

^aRegulatory citations are listed in parentheses.

^bMonitor may be installed in the firebox or in the ductwork immediately downstream of the firebox before any substantial heat exchange is encountered.

^c"Continuous records" is defined in § 63.641.

^dNCS = Notification of Compliance Status Report described in § 63.655.

^eThe daily average is the average of all recorded parameter values for the operating day. If all recorded values during an operating day are within the range established in the NCS or operating permit, a statement to this effect can be recorded instead of the daily average.

^fWhen a period of excess emission is caused by insufficient monitoring data, as described in § 63.655(g)(6)(i)(C) or (D), the duration of the period when monitoring data were not collected shall be included in the Periodic Report.

^gPR = Periodic Reports described in § 63.655(g).

^hNo monitoring is required for boilers and process heaters with a design heat capacity ≥44 megawatts or for boilers and process heaters where all vent streams are introduced into the flame zone. No recordkeeping or reporting associated with monitoring is required for such boilers and process heaters.

ⁱProcess vents that are routed to refinery fuel gas systems are not regulated under this subpart. No monitoring, recordkeeping, or reporting is required for boilers and process heaters that combust refinery fuel gas.

[60 FR 43260, Aug. 18, 1995, as amended at 61 FR 29881, 29882, June 12, 1996; 63 FR 44142, 44143, Aug. 18, 1998; 74 FR 55688, Oct. 28, 2009]

EFFECTIVE DATE NOTE: At 75 FR 37731, June 30, 2010, the appendix to subpart CC of part 63 was amended by revising the column headings to table 4, and revising the entries for §§ 63.8(c)(4) and 63.10(b)(1) in table 6, effective July 30, 2010. For the convenience of the user, the revised text is set forth as follows:

APPENDIX TO SUBPART CC OF PART 63—
TABLES

TABLE 4—GASOLINE DISTRIBUTION EMISSION POINT RECORDKEEPING AND REPORTING REQUIREMENTS ^a

Reference (section of subpart R)	Description	Comment
* * *	* * *	* * *

* * *

TABLE 6—GENERAL PROVISIONS APPLICABILITY TO SUBPART CC ^a

Reference	Applies to subpart CC	Comment
* * *	* * *	* * *
63.8(c)(4)	Yes	Except subpart CC specifies the monitoring cycle frequency specified in § 63.8(c)(4)(ii) is "once every hour" rather than "for each successive 15-minute period."
* * *	* * *	* * *
63.10(b)(1)	No	§ 63.655(i) of subpart CC specifies record retention requirements.
* * *	* * *	* * *

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Subpart DD—National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations

SOURCE: 61 FR 34158, July 1, 1996, unless otherwise noted.

§ 63.680 Applicability and designation of affected sources.

(a) The provisions of this subpart apply to the owner and operator of a plant site for which both of the conditions specified in paragraphs (a)(1) and (a)(2) of this section are applicable. If either one of these conditions does not apply to the plant site, then the owner and operator of the plant site are not subject to the provisions of this subpart.

(1) The plant site is a major source of hazardous air pollutant (HAP) emissions as defined in 40 CFR 63.2.

(2) At the plant site is located one or more of operations that receives off-site materials as specified in paragraph (b) of this section and the operations is one of the following waste management operations or recovery operations as specified in paragraphs (a)(2)(i) through (a)(2)(vi) of this section.

(i) A waste management operation that receives off-site material and the operation is regulated as a hazardous waste treatment, storage, and disposal facility (TSDF) under either 40 CFR part 264 or part 265.

(ii) A waste management operation that treats wastewater which is an off-site material and the operation is exempted from regulation as a hazardous waste treatment, storage, and disposal facility under 40 CFR 264.1(g)(6) or 40 CFR 265.1(c)(10).

(iii) A waste management operation that treats wastewater which is an off-site material and the operation meets both of the following conditions:

(A) The operation is subject to regulation under either section 402 or 307(b) of the Clean Water Act but is not owned by a “state” or “municipality” as defined by section 502(3) and 502(4), respectively, of the Clean Water Act; and

(B) The treatment of wastewater received from off-site is the predominant activity performed at the plant site.

(iv) A recovery operation that recycles or reprocesses hazardous waste which is an off-site material and the operation is exempted from regulation as a hazardous waste treatment, disposal, and storage facility under 40 CFR 264.1(g)(2) or 40 CFR 265.1(c)(6).

(v) A recovery operation that recycles or reprocesses used solvent which is an off-site material and the operation is not part of a chemical, petroleum, or other manufacturing process that is required to use air emission controls by another subpart of 40 CFR part 63 or 40 CFR part 61.

(vi) A recovery operation that re-refines or reprocesses used oil which is an off-site material and the operation is regulated under 40 CFR 279 subpart F—Standards for Used Oil Processors and Refiners.

(b) For the purpose of implementing this subpart, an off-site material is a material that meets all of the criteria specified in paragraph (b)(1) of this section but is not one of the materials specified in paragraph (b)(2) of this section.

(1) An off-site material is a material that meets all of the criteria specified in paragraphs (b)(1)(i) through (b)(1)(iii) of this section. If any one of these criteria do not apply to the material, then the material is not an off-site material subject to this subpart.

(i) The material is a waste, used oil, or used solvent as defined in § 63.681 of this subpart;

(ii) The waste, used oil, or used solvent is not produced or generated within the plant site, but the material is delivered, transferred, or otherwise moved to the plant site from a location outside the boundaries of the plant site; and

(iii) The waste, used oil, or used solvent contains one or more of the hazardous air pollutants (HAP) listed in Table 1 of this subpart based on the composition of the material at the point-of-delivery, as defined in § 63.681 of this subpart.

(2) For the purpose of implementing this subpart, the following materials are not off-site materials: